Report of the Committee on Works and Operations dated February 22, 1982

Policy for Placement of Newspaper Streets File EL

491 - 1. In 1979, representatives of "Homes" magazine and "The Downtowner" newspaper requested permission to install distribution boxes on City streets. On March 10th, 1980, the Committee on Works and Operations was advised that the (then two) daily newspapers and the Globe and Mail maintain vending machines on-street at various locations throughout the City. These facilities, as well as telephone booths, mail boxes, waste receptacles, etc., are installed as a convenience to the public as long as they do not create an "obstacle course" for pedestrians nor an aesthetic or functional nuisance.

Except in the case of the daily newspapers, The City of Winnipeg has historically prohibited the sale of merchandise on the street (with the unique exception of Old Market Square), and your Committee decided previously that there should be no change to the existing policy with respect to the two daily newspapers and the Globe and Mail having vending machines on the street, but that there should be no proliferation of that right in respect of any other services.

In September, 1981, the publisher of the "Educated Consumer" requested permission to install distribution boxes on the street, and on October 19th, 1981, your Committee again considered the existing policy concerning the installation of distribution receptacles on the street, and instructed that a further report be prepared including information as to the maximum number of newspaper distribution boxes which might be permitted on city streets, design criteria with respect to minimum standards, a placement fee, and any relevant rules and regulations which might form a basis for consideration of a policy recommendation by Committee in this connection.

Your Committee on Works and Operations at its meeting on February 22nd, 1982, considered on-street placement of vending machines to be in the public interest and recommends that the following policy be established:-

a) The maximum number of dispensers shall be determined on an individual location basis and each dispenser shall be located so that it does not confine, impede, or present a nuisance or a hazard to public traffic. In no case shall a dispenser be situated within 3 metres of an intersection or immediately adjoining a building.

b) The dispenser:-

   i) shall not exceed 127 cm in height, 50.8 cm in width, and 50.8
   ii) shall have no sharp corners;
   iii) shall have no glass and any window shall be of a shatterproof material;
   iv) shall have a mechanical door return to prevent the door from remaining open unless held;

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v) shall be weatherproof and be of high quality, painted and of such design and construction as to be structurally sound and entirely self-supporting;
vi) shall be regularly inspected to ensure that it is maintained in good repair (including washing) and that no nuisance is created at any time;
vii) shall be removed for repair immediately when damaged (no major repairs will be permitted to be effected on-street); viii) shall not be used for any advertising other than to identify the owner.

c) A placement fee of Ten ($10.00) dollars per year (or any portion thereof) shall be charged for each installation.

d) The applicant requesting authorization to place and maintain any vending machine/distribution receptacles in the public right-of-way shall:-

i) be required to provide a 24 hour, 7-day service call system in order to ensure that no hazard to the public is created as a result of a damaged device, in case of emergency, etc., and shall remove any dispenser forthwith upon an order being issued to that effect.
ii) provide the City with a copy of its liability insurance in the amount of not less than one million ($1,000,000.00) dollars ($500.00 deductible for each occurrence) including The City of Winnipeg as an additional named insured with a cross-liability clause in connection with the installation, maintenance, use, etc., of any such device within the public right-of-way;
iii) agree to comply with the provisions of all Federal and Provincial Statutes or regulations, all by-laws of The City of Winnipeg, and all specifications or instructions issued by the duly authorized officers of the City in respect to the installation, maintenance, use, etc., of any such device within the public right-of-way, and indemnify the City against all loss, costs, charges, or claims for damages caused by or arising out of anything done pursuant to any authorization given for such use.

e) The Commissioner of Works and Operations, or his designate, shall be authorized to approve the installation of all devices throughout the City.

f) That approval be limited to those publications for which there is a charge.

Your Committee on Works and Operations also recommends that the whole matter be subject to review by the Committee on Works and Operations at the expiration of one year.

Your Committee on Works and Operations further recommends that the Educated Consumer be allowed to install up to fifty (50) distribution boxes on the street, in accordance with the above policy.

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Councillor Mitchelson,
Adoption of the Report.

The motion was put.

His Worship Mayor Norrie called for the yeas and nays, which were as follows:

Yea: His Worship Mayor Norrie, Councillors Douglas, Eadie, Fleisher, Gerrie, Mitchelson, Moore, Neville, Promislow, Ragsdill, Reese, Savoie, Stefanson and Yanofsky.

Nay: Councillors Angus, Balsillie, Chornopyski, G. Ducharme, Jorowski, Macdonald, Skowron, Wade and Zuken.

and the motion for the adoption of the Report was declared carried.